



SPECIAL COMMON COUNCIL MEETING

June 4, 2012

6 P.M.

Regular Meeting

The Special meeting of the Common Council of the City of Middletown was held in the Council Chamber of the Municipal Building on Monday, April 2, 2012 at 6 p.m.

Present

Deputy Mayor Robert P. Santangelo, Council Members Thomas J. Serra, Ronald P. Klattenberg, Mary A. Bartolotta, Gerald E. Daley, Hope P. Kasper, Grady L. Faulkner, Jr., Philip J. Pessina, Joseph E. Bibisi, Linda Salafia, and Todd G. Berch; Corporation Counsel Daniel B. Ryan, Sergeant-at-arms Acting Chief William McKenna, and Common Council Clerk Marie Norwood.

Absent

Mayor Daniel T. Drew and Council Member Deborah A. Kleckowski.

Also Present

Public Works Director Bill Russo, Finance Director Carl Erlacher, Director of IT William Oliver, Personnel Director Debra Milardo, Planning, Conservation, and Development Director William Warner, City and Town Clerk Sandra Driska, Water and Sewer Director Guy Russo, Parking Director Geen Thazhampallath, Acting City Attorney Timothy Lynch, Acting Chief of Police William McKenna, Park and Recreation Director Raymond Santostefano, Park Supervisor John Milardo, Arts Coordinator Stephan Allison, Russell Library Arthur Meyers, Youth Services Director Justin Carbonella, Director of Health Joseph Havlicek, Tax Assessor Damon Braasch, Deputy Fire Chief Robert Kronenberger, Director of Communications Wayne Bartolotta, Human Relations Director Faith Jackson, Director of Facilities at the Board of Education Kendall Jackson, Joseph Samolis Administrative Aide to the Mayor and 2 members of the public.

Meeting Called to Order

The Acting Chair calls the meeting to order at 6:06 p.m. and Councilman Pessina leads the public in the pledge of Allegiance.

Call of Meeting Read

The Call of the meeting is read and accepted. The Deputy Mayor declares this call a legal call and the meeting a legal meeting.

Workshop Opens

The Acting Chair opens Questions to Directors workshop at 6:08 p.m.

Councilman Pessina is recognized and asks to address questions to the Personnel Director. Debra Milardo comes forward. Councilman Pessina states reviewing the council packet, he is perplexed as to resolution 15-14, dealing with the reduction in years of experience. His question is did this come through the PRC committee. Ms Milardo responds yes. Councilman Pessina asks the vote and feel for what happened and why they reduced the experience. Ms Milardo replies the request came from the Mayor's office and it was brought in one form and was rejected and came back with modification and it was approved without comment at the last PRC meeting. PRC moved it on for full debate. Councilman Pessina states it was five years for the City Attorney and four years for the Deputy. He asks why the Mayor is pushing for this. Ms Milardo states to expand the viable applicant pool. Councilman Pessina states he is perplexed in this economy with the job rate which is abysmal that they can't find an experienced attorney willing to take on this job. First they removed it and now reduced it. He doesn't think the public wants that to happen. You should go out with best candidates with labor background so we can stop putting out contracts and do it in house. It doesn't make sense. Ms Milardo responds it doesn't speak for the commission, but it was moved forward for a full debate so you can make recommendations for the requirement and what happens tonight, we will have to suspend the current recruitment and start all over. Councilman Pessina states it is beyond muddied and what is happening there is an air of suspicion as to why it is being done for such an important directorship. I caution the rest of the Council to be careful anytime you reduce qualifications on a sensitive position, it is not a good thing for the City and he doesn't think the public is in agreement.

Councilman Bibisi asks the Personnel Director, a few years ago didn't Councilman Loffredo propose a resolution to bring it up to 7 years; he believes it was at five years. We brought it up to get the most mature attorney. Ms Milardo states you are right; it was three years ago and the original requirement was five years and it was brought up to seven years. Councilman Bibisi states he will not support it.

Councilman Daley asks Ms Milardo there was an initial recruitment at the seven years requirement; how many responses did you get. Ms Milardo responds three. Councilman Daley says you had a second with no specific

years of recruitment and how many responses did you get. Ms Milardo states we got about 13; Councilman Daley asks how many met the five years. Ms Milardo replies if they combine the first and second, it would have been seven. Councilman Daley asks if you got any additional beyond the first three that met the 7 years. Ms Milardo replies one. Councilman Daley states this is not time to debate but I think it is legitimate; you want to do things to encourage a larger applicant pool and keep in mind it is an exempt position that the Mayor appoints and the Council confirms and we will ensure the candidate is the best available. He did not remember it was just increased from five to 7 years, three years ago, and it makes me more open to go back to the five years. I understand people's concerns, but let's not make a tempest in a teapot over this. The first recruitment didn't yield a sufficient pool. Ms Milardo replies that is what was expressed to our office. Councilman Daley states at the state level we have appointed positions that have no specific experience. Many appointed level positions there is no specific experience or training.

Noted for the Record

Councilman Faulkner takes his seat in the Chamber at 6:19 p.m.

Ms Milardo comments for Council consideration if you will modify it you need to look at the deputy, because you don't have them at the same level and it is her thought to keep the current recruitment and start a new one and add to the recruitments.

Councilman Pessina asks Ms Milardo would you advertise for this position; can you explain the search. There are a lot of labor attorneys in the State. Does it say something for the City that you are asking 7 years we only get three candidates. Ms Milardo states this is not the first year we have recruited for this position and there is some thought process that the more you recruit the less you get. The initial was through the Hartford Courant and 30 days on career.com and the Connecticut Bar Association. The second recruitment we did not use the Hartford Courant, but used the Law Tribune. We have been hindered with the advertising budget. Keep in mind you not only have to have a State license, but also a Second Circuit Court License and not a lot of attorneys have it. Councilman Pessina states you run a class act when you advertise and you are under the direction of the Mayor and he is looking for the best candidate and he cannot support this.

Councilman Klattenberg states you answered that there were 13 and I thought it would be 20 or 30; why is the pool so small. Are you familiar with the recruitment process in other towns. I would have guessed that there would be people looking to work for a large municipality. Ms Milardo responds that is an opinion. This is not the first time we have recruited and the more you recruit for this job, it may cause less people applying. I think letters need to go out to the candidates that there have been changes and the Council has directed a new recruitment process and that is a constraint. People are concerned. In terms of qualification and salary we are not looking for anything in extreme. What is unique is the requirement to Second Circuit Court and it is not what a lot of attorneys have and our requirement says you have to have it at time of application and that is the only anomaly. The deputy city attorney is significantly lower in salary than other towns and that would be a constraint. That is three grades too low, but for the city attorney, the salary is right in line with other cities. Councilman Klattenberg states the Middletown reputation in the recruitment process has had a negative impact. Ms Milardo states it could have had an effect. If you advertise for the same job and there is no conclusion, people will be concerned and that is a problem when you over recruit one position. Hopefully we can get beyond that. Councilman Klattenberg states when a conclusion is not drawn from the recruitment process, do the candidates get a letter. Ms Milardo responds they do if she is so directed by the Mayor. We advise candidates the recruitment process was suspended. We have had a couple where no communication has occurred. That is not the best practice. There should always be a communication, closure, finality. Councilman Klattenberg asks if there was discussion about more experience in presenting cases before the court. Ms Milardo replies it requires litigation experience, municipal litigation experience and labor experience. An attorney can come in with second circuit and have real estate and probate and would not qualify. We are looking for the litigator and background in labor. You have targeted the right areas and practices of law that you would want to bring in for a city attorney. Councilman Klattenberg states the pay grade with only one year difference in experience it seems out of balance. Ms Milardo responds it has been out of balance. You have a director at specific salary with the deputy only one or two grades behind and in this instance it is four behind. Councilman Klattenberg states has that gone through PRC. Ms Milardo responds three years ago and we have not had anyone in that position and if you go to recruit that salary you will have some difficulty and you won't get the most solid candidate. A few of the deputy positions fall outside the

benchmark line. She states if you have a vacancy prior to recruitment, she suggests you look at that and a few other deputy positions in the city.

Councilman Serra states he would like the following individuals come up to explain the items to be bonded. The first is Bill Warner relative to the \$3 million for the OMO agreement. Mr. Warner explains the agreement and that the responsible people are the property owner and he does not have the funds to take care of it. As a superfund site we don't know a lot about it and we have negotiated with EPA on this for a \$3 million settlement. Councilman Serra asks why is there no referendum. Mr. Warner replies bond counsel looked at Charter that any improvement over \$750,000 goes to referendum but this is a settlement. This is not an improvement.

Councilman Serra calls Kendall Jackson forward on the school issues. Mr. Jackson states we have three bonded projects before the Council; two are at Keigwin Middle School and one at Woodrow Wilson Middle School. Woodrow Wilson is asbestos abatement. They did not abate all the existing floor tiling and that floor is deteriorating and if they pull that up, we get involved with the asbestos tile so this project is to abate those floors. At Keigwin, we have to update the fire alarm system. It doesn't meet the current life safety code or ADA that you need in modern fire alarms and the second is a parking lot and it is the original lot when the school was built in 1972. It will be a separate bond and it will be an ideal time to do the project.

Councilman Serra asks for Bill Oliver to come forward to speak to the bond issues. Mr. Oliver states there are three items up for bonding and the first is for request for city-wide phone system and it will replace the phone system. It came up when a problem with the Fire Department occurred where they did not have phone or data service and this will provide redundant access to address the public safety departments and the increment to add other City departments was a small cost. The second item is a new storage infrastructure for the City because the amount of data stored has grown exponentially and we need better storage and better way to index them and eventually on-line for people to search. The final piece is a series of upgrades and one is broadcasting meetings through internet and it also includes security upgrades in some buildings and replaces 10 year old modems in public safety.

Councilman Serra asks for Arthur Meyers, Director of the library to come forward. Mr. Meyers states this project is an exterior preservation of the exterior library building. It has been nearly 30 years since the building was reroofed and they need to repair slate and leaks and they need to repair and paint exterior wood and metal.

Noted for the Record

Councilman Berch takes his seat in the chamber at 6:38 p.m.

Mr. Meyers continues As you walk by the brownstone, you can see the deterioration. They have received some costs and they are looking into a historic preservation grant next Tuesday the construction board is coming by the library. They are pursuing that to offset the costs to the city.

Damon Braasch comes forward and states the bond before you is \$750,000 that would be the primary tool for the State mandated revaluation. All property should be inspected on a ten year schedule and Middletown has not had one in 14 years. We are at the point where we must do another revaluation because of those gaps. We have to inspect every property and multiple individuals will have to go out to each house and thus it will be a higher cost.

Councilman Klattenberg asks for Art Meyers. He asks about 15-1 which is the Neighborhood Assistance Act which is increasing public energy efficiency in the public library. Honeywell did all this work and why does it appear here. Mr. Meyer responds there was work that has to be done and could not be done by Honeywell. It is a back up boiler. Funds are available through the Neighborhood Assistance Act and it will not cost the City anything. He doesn't believe they will get the full amount and it is no cost to the City; he thought it would be smart to apply for it. We can get tax credits from more than one company. It doesn't have to be just one and he has a few that he has in mind to apply for. If you approve it, I will follow through with the companies. Councilman Klattenberg states it is not energy efficiency measure, but to get a new boiler. Mr. Meyers responds it will help, but it is a back up boiler. We should try to pursue the funds. Councilman Klattenberg asks if this is something Honeywell brought to your attention. Mr. Meyers replies they are aware of it and there was only so much that they could go forward with and they did not pursue it beyond what the Council wanted from the project. Councilman Klattenberg states there are others and this is the most urgent. Mr. Meyers responds there are other dream things, like the windows; they are losing a lot of heat through the windows facing the

courtyard. There are a lot of things we would like to do and we have a long list. It is in the millions, but we are realistic on what can be done and this source was brought to our attention and for the first two years, we got funding on small projects. We lose a lot of heat through the front doors and would like to do something with that. In the beginning, 15 years ago, someone said to go through phases and we did that and there have been a lot of improvements and we are realistic at what can be done at one time. This is a source of funds. Councilman Klattenberg asks if there is a timing issue. Mr. Meyers responds yes; there is a time line within the State office. Planning, Conservation, and Development sends it to the Connecticut Department of Revenue Services because it is a tax credit and it does have a time frame. Councilman Klattenberg states this was submitted through Bill Warner's office. Mr. Meyers replies yes he worked with Michiel Wackers.

Councilman Berch asks to address questions to the Tax Assessor and Public Works. Damon Braasch, Tax Collector and William Russo, Public Works Director come forward. Councilman Berch asks about the revaluation process; it is a physical inspection and it is a building inspector. If a building is found to have an addition put on without a permit and found through the assessment, what happens to the structure going forward. How would the building official see if it is a safe structure and in code. Mr. Russo replies if it is done without a permit and nobody has knowledge of it, it would have to be inspected and proper channels taken. He doesn't think it has happened before. Councilman Berch states through the revaluation process which entity would pick it up first. Mr. Braasch responds reval would go out their blind and pick out the characteristics and then the property reviewed against the records. That will take time and the goal is to look at the data collected with the card and if they see something has changed without notification, they will notify the building official.

Noted for the Record

Corporation Counsel Ryan takes his seat in the Chamber at 6:49 p.m.

Councilman Faulkner asks to address Bill Oliver. He states you have three items and he thought we approved capitalization of the Police Department. Mr. Oliver responds the storage we did is in use right there and we would like to use the same technology to look at the rest of the City. Councilman Faulkner asks if it is the same system. Mr. Oliver responds it would be additional storage at Police, here and Water and Sewer. Councilman Faulkner asks if we have a policy on data storage. Mr. Oliver replies we have a couple of issues in place by Records Management of the State and we have to have an electronic format policy. They will have a system with electronic index and store electronic documents. Councilman Faulkner asks about the audits for different departments. Mr. Oliver responds no; there has been no mechanism and they have managed to set their own storage and we need systematic mechanism and this will let us enforce the rules electronically. Councilman Faulkner states you are rebuilding all the infrastructure. Mr. Oliver responds it will not replace the admins system and that is not part of the intent and didn't think there was a need to move in that direction. Councilman Faulkner asks if that will help them get information from them on a monthly basis. Mr. Oliver replies that can be addressed already. He doesn't know of any department not able to produce information that is requested. Councilman Faulkner states what time line are we talking about. Mr. Oliver responds the projects vary and they will happen in parallel. None of them will be completed by the end of the summer. By the end of the calendar year, they will be done and some will be 18 to 24 months and will be done in several phases. Councilman Faulkner asks if we will see this when it is done. Mr. Oliver states they can send reports; for example when they are streamed through the website you will know it.

Acting Chair Santangelo states there are four minutes left; they will convene the regular and then go back to questions to directors.

Councilman Pessina is recognized and states he would like to call Damon Braasch asks if an RFP will be sent out or is there a company you will already utilize. Mr. Braasch states an RFP has already been released and the pool will be limited and it will take a large amount of man power. He thinks it will be three or four at best. Councilman Pessina states make sure they have proper identification on them. Mr. Braasch states the current plan is prenotification to a general area but give not a specific time and vehicles are registered with the police and people will carry an ID.

Councilman Klattenberg asks for Director Russo and First Selectwoman Francis, Durham, to come forward.

Noted for the Record

Councilwoman Bartolotta takes her seat in the Chamber at 6:57 p.m.

Councilman Klattenberg states it has been at least ten years this issue has been considered an opportunity for the future and it is a mile stone meeting

for me where Durham and Middletown will work together. What is in it for Middletown and how does Durham benefit and what are the risks.

Meeting Adjourned

Acting Chair Santangelo states that it is time for the regular meeting and this meeting should close and they should open the regular meeting and recess to come back to this meeting. Councilman Klattenberg so moves and Councilwoman Bartolotta seconds the motion. The vote is unanimous and the meeting is adjourned at 6:58 p.m.

ATTEST:

MARIE O NORWOOD
Common Council Clerk